

**KENTUCKY BOARD OF EDUCATION
REGULAR MEETING
JANUARY 31 - FEBRUARY 1, 2012**

**STATE BOARD ROOM
1ST FLOOR, CAPITAL PLAZA TOWER
FRANKFORT, KENTUCKY**

SUMMARY MINUTES

The Kentucky Board of Education held a study session on January 31 and its regular meeting on February 1, 2012, in the State Board Room, First Floor, Capital Plaza Tower, Frankfort, Kentucky. The board conducted the following business:

Tuesday, January 31, 2012

CALL TO ORDER

Chair David Karem called the meeting to order at 2:00 p.m. and asked everyone to please turn off or mute their cell phones.

ROLL CALL

Present for the meeting were Dorie Combs, Judy Gibbons, Billy Harper, Martha Jones, David Karem, Roger Marcum, Jonathan Parrent, Brigitte Ramsey, William Twyman, and Mary Gwen Wheeler. Robert King was not present.

STRATEGIC PLAN UPDATE

Karen Dodd, Division Director, came forward to update the board on the Strategic Plan. She used a PowerPoint presentation to guide the discussion. Dodd indicated that the agenda for the PowerPoint would be updated goals, college and career readiness, proficiency, achievement gap and next generation professionals. Under the goals and Next Generation Learners, the following were shared:

- Increase the averaged freshman graduation rate from 76% to 90% by 2015.
- Increase the percentage of students who are college- and career-ready from 34% to 68% by 2015.
- Increase the averaged combined reading and math K-prep scores for elementary and middle school students from __% to __% in 2017. (Baseline established after testing results come out in 2012.)

- All children will be screened for kindergarten readiness by fall of 2012. Fifty percent more students will be ready for kindergarten by 2014 based on 2012 baseline results.
- Increase the average third-grade math and reading combined K-prep scores to 90% proficient by 2016, based on results from the 2012 K-prep test administration.
- Increase achievement for all student groups in Kentucky so that the achievement gap decreases from __% in 2012 to __% in 2017 as measured by school report cards. (Baseline established after testing results come out in 2012.)

Commissioner Holliday added that an RFP will come out for the kindergarten readiness screener but cautioned that the providing of this instrument is very dependent on funding. He noted that we are waiting to hear what is funded in the budget by the legislature.

Mary Gwen Wheeler asked if we are going to use the screener in the way it is designed to be used.

Associate Commissioner Felicia Smith replied that it is intended to take a snapshot in time of when students enter kindergarten.

Brigitte Ramsey noted this is a collaborative effort to set a baseline to ensure that dollars are being used wisely. She emphasized that the assessment itself will establish a baseline so that students can be met where they are in their skill levels.

Ms. Dodd continued with the PowerPoint presentation providing goals for Next-Generation Support Systems as follows:

- By 2015, increase the percentage of proficient programs in the arts and humanities, practical living/career studies and writing to __% as measured by program reviews.

She then shared goals for Next-Generation Professionals as follows:

- By 2015, increase the percentage of effective teachers as measured by teacher effectiveness tools by __% in 2014 to __% in 2019.
- By 2015, increase the percentage of effective principals as measured by principal effectiveness tools from __% in 2014 to __% in 2019.

Goals were also presented for Next-Generation Schools and Districts as follows:

- Increase the percentage of schools/districts rated at or above proficient from __% in 2012 to __% in 2017 as measured by the school/district report cards.

After the goals, Dodd moved on to the college/career-readiness area where she touched on Operation Preparation/College and Career Advising, the new accountability model and implementation of common core state standards/course and assessment alignment. For Operation Preparation, the points that were highlighted were:

- Governor Beshear has issued a proclamation declaring March 12-16, 2012 as Operation Preparation Week.
- To date, 96 districts and KSD have provided contact information.
- The toolkit update is being released with resources for schools/districts to ensure that all 8th and 10th grade students have access to this experience including guidance for advising students with disabilities, contact for arranging for advisors with vision and hearing disabilities, intellectual disabilities and English language learners.
- Online training for community advisors was developed by KET under the guidance of KDE. The module includes video of sample advising sessions, printable resources and self-check exercises. Content includes the ILP, EXPLORE, PLAN and guidance on course selection that will help the student reach personal college and career goals.
- Questions have been added to the 8th and 10th grade ILP survey that are specifically aligned with this activity.
- This information, along with feedback from steering committee members, schools and parents, will guide plans for Operation Preparation 2013 and the following years.
- Partners include Department of Workforce Investment, FYRSCs, Prichard Committee, Division of Juvenile Justice, GEAR UP, education cooperatives, Human Development Institute at UK, Kentucky Chamber of Commerce, Council on Postsecondary Education, Kentucky Scholars, KET, Kentucky School Boards Association, Partnership for Successful Schools and Career Cruising among others.

Brigitte Ramsey asked if the department thinks more than 96 districts will participate in Operation Preparation.

Commissioner Holliday said he would post the participating districts publically and reinforce participation at the Kentucky School Boards Association's conference this weekend.

Mary Gwen Wheeler inquired if there had been any public relations efforts on Operation Preparation statewide.

Lisa Gross responded that staff has worked on the proclamation from the Governor as well as events attached to promoting Operation Preparation.

Next, Dodd moved on to the new accountability model and shared the following:

- After the initial waiver submission to the United States Department of Education, a number of changes in the Kentucky waiver were requested:
 - Annual measurable objective (AMO) was changed from an annual goal of .2 to .07.

- Annual graduation goal was added. Schools must obtain 98% graduation rate by 2022.
- Tested participation rate was added. Schools must test 95% of their students on the state summative test.
- Student group AMOs were added and will be tracked within the delivery plan. This change enhances the focus on groups of students.
- The United States Department of Education has received all changes and is evaluating Kentucky's waiver request.

Commissioner Holliday then commented that U.S. Secretary of Education Arne Duncan wanted to announce the approved states for the waiver this week but indicated he had to clear up some last minute questions from some of the other states. Holliday noted that the board is being asked to act on 703 KAR 5:222 with the faith that Kentucky's waiver will be approved. However, both the Secretary and Assistant Secretary of the United States Department of Education have assured us that there are no more questions and that Kentucky's waiver is in good shape. Thus, he assured the board there is every indication Kentucky's waiver application will be approved.

Ms. Dodd continued the PowerPoint presentation and moved on to the topic of common core state standards with the following points:

- Common core state standards (CCSS) provide a consistent, clear understanding of what students are expected to learn in K-12 English/language arts and mathematics.
- Implementation of common core standards are supported by:
 - Leadership networks – build capacity of each district as it implements new Kentucky core academic standards; develop assessment literacy among educators; and work toward every student graduating college/career ready
 - Continuous instructional improvement technology system (CIITS) – provides teachers access to the Kentucky core academic standards and instructional resources aligned to the standards
- Districts have individual plans for implementation at local levels.
- ACT Quality Core, course and resource alignment has occurred across the state through a gap analysis process.

Mary Gwen Wheeler said that she is hearing from the field that teachers don't know what is on the test.

Commissioner Holliday replied that the blueprint for the common core is available plus a gap analysis. He went on to say there is a huge concern with professional development because there is a need for more of it and more dollars.

Dorie Combs asked what professional development is available for the common core.

Holliday responded that through the contract there is a huge amount of free resources available along with a level of purchased services.

Ken Draut added that this test has more resources than we have ever had before including some free workshops and online information.

Felicia Smith went on to say that cooperatives are also hosting professional development sessions but noted that cost is a factor in providing more professional development. She noted that department staff have had conversations with vendors about reducing costs of professional development. Smith explained that if districts are using the district leadership team and returning to their districts with an implementation plan, there should be access to professional development. However, she noted there is a lot of variation in implementation across the state.

Commissioner Holliday emphasized that unless something happens with the budget, we cannot continue leadership networks to implement the common core and the elements of SB1.

Bill Twyman asked if there were any other models out there to help with implementation.

Felicia Smith replied that Kentucky is a model site for the Learning Forward initiative and thus we have six partner states who will be sharing their models; however, Smith noted that many other states are taking two to three years to implement the common core and aren't on the short timeline that Kentucky is on.

Judy Gibbons then asked if the commissioner was referring to CIITS as far as the shortage in funding.

Commissioner Holliday replied that what he is saying is that the plan is for Kentucky to transition the use of the leadership networks for the new social studies and science standards in the same manner as we have done for language arts and mathematics. Also, he noted there are no textbook dollars. Holliday emphasized he is very concerned that teachers are asked to do more and be held accountable without enough resources.

Roger Marcum then asked if it was fair to say that the leadership networks are the primary tool for implementing the common core.

Felicia Smith replied affirmatively.

Mary Gwen Wheeler then said that she saw from the Jefferson County audit the need to have alignment between standards, materials and instructional practices. She asked if the department is providing a curriculum guide.

Holliday replied that curriculum is under the control of the school-based decision making councils but indicated the department can provide support in unpacking the standards, instructional resources and formative assessments through CIITS. He characterized CIITS as a comprehensive

solution to connect all things. He said this support can be there for the English language arts and mathematics but indicated he could not guarantee it beyond that for the other subjects.

Roger Marcum said that a strategy to help teachers is extended instructional time but he wondered where the funding can exist for resource support.

Commissioner Holliday said that 21st century funds can be used through the waiver process to provide some flexibility with funds. He said that he suggested districts use productivity and redirection of funds before jumping to ask for new dollars.

At this point Karen Dodd moved on to the gap area where these points were discussed:

- Consolidated planning and use of data
- Flexibility of funding
- Alternative individual learning plans
- Digital learning
- Professional development
- Progress monitoring
- Intentional use of proficiency strategies for student demographic groups
- Summer reading
- Extended instructional time

Jay Parrent asked who in the school coordinates staff activities.

Commissioner Holliday responded that it is usually the principal and the school-based decision making council.

Brigitte Ramsey asked if it is up to the district how to reduce summer reading loss and asked if the department is supporting this effort.

Dr. Holliday indicated that the department is supporting the effort along with the Out of School Alliance as a partner.

Roger Marcum then asked how many districts have 21st Century Learning Center funding.

Commissioner Holliday indicated that staff would get that data for Mr. Marcum.

The final area covered in Ms. Dodd's PowerPoint presentation was Next-Generation Professionals where the point was made to anticipate starting workshops to define the delivery plan in late February or early March.

In summary, Commissioner Holliday reminded the board that the goals are connected to the commissioner's evaluation. He also pointed out that this summer goals will be set around gap and proficiency. Holliday indicated that today is a mid-year update.

Dorie Combs asked if there is formative assessment available in CIITS and how this relates to MAP and other instruments districts are using.

Commissioner Holliday said that the department is encouraging the use of its formative assessment but said districts have the option to choose their own if the superintendent sees an advantage in using another system.

Mary Gwen Wheeler asked if CIITS is available to all districts.

Commissioner Holliday replied that it's available to every teacher.

Roger Marcum then inquired about the availability of CIITS for teacher education programs.

Felicia Smith replied that staff is working to provide a solution for access by teacher education programs as well as by education cooperatives. She explained that the problem is the system has student level data so confidentiality is an issue.

TEACHER AND PRINCIPAL EFFECTIVENESS SYSTEM UPDATE; 704 KAR 3:345, EVALUATION GUIDELINES FOR OTHER CERTIFIED STAFF AND 704 KAR 3:550, STATEWIDE TEACHER AND PRINCIPAL PROFESSIONAL GROWTH AND EFFECTIVENESS SYSTEM

Associate Commissioner Felicia Smith, Division Director Michael Dailey and Brenda McGowan from the Kentucky Education Association came forward to present on these items. Felicia Smith indicated that the first regulation is an existing regulation and the second one is a new regulation. She said that both are necessary because for a period of time Kentucky will need to run a dual system for its teacher and principal evaluation system.

Mary Gwen Wheeler asked who is not covered in the new regulation.

Felicia Smith replied that certified teachers and administrators are covered in the new regulation and other employees are covered in the old. At this point a PowerPoint was used to go through the elements of the system and talk about the regulations. Highlights of the PowerPoint included the following:

- The effective teacher pathway was illustrated on slide 1 and included arrows that contained multiple measures of effectiveness, accurate teacher evaluation, more meaningful tenure, differentiated pay based on effectiveness, strategic placement of teachers, targeted

professional development and other teacher supports, and more effective teachers equaling better student outcomes.

- Comments from members on this slide included Mary Gwen Wheeler's suggestion that the illustration needs to have other pre-arrows if labeled the effective teaching pathway. Felicia Smith responded that the slide came from national work done by the Bill and Melinda Gates Foundation and said that this model has been easy to explain. Roger Marcum asked where more meaningful tenure fits in and Commissioner Holliday responded that it is better informed by the multiple measures.
- Slide 2 indicated that the goal of Kentucky's professional growth and effectiveness system is to identify, define and measure effective teaching and leading.
- Slide 3 indicated that the key drivers for change are Race to the Top, ESEA waiver, House Bill 40 and Kentucky teachers.
- Slide 4 indicated that the requirements of the ESEA waiver are continuous improvement of instruction, meaningful differentiation of teacher/principal performance using at least three performance levels, multiple measures of effectiveness including use of student growth data (both state standardized test and formative growth measures that are rigorous and comparable across schools and districts) is a significant factor, regular evaluation (most likely annual), clear and timely feedback to include opportunities for professional development and use of the system to inform personnel decisions.
- The next slide showed the performance of House Bill 40 to be a 2015-2016 timeline, the Kentucky Board of Education establishing a statewide system that measures effectiveness and support for professional growth, a system based on multiple sources of data, the inclusion of both formative and summative components, performance criteria that is weighted and the availability of the waiver that can be requested if the district has an equivalent program.
- The subsequent slide was entitled "Kentucky Multiple Measures of Effectiveness Supported with Artifacts and Evidence". On one side were the components of the teacher effectiveness framework, which were observation, peer observation, professional growth, self-reflection, student voice, parent voice and student growth. On the other side of the slide the principal effectiveness framework was reflected with the components of professional growth, student growth, student voice, parent voice, self-reflection, observation and teacher reflection. There was a connection of a Val-Ed 360 process to the self-reflection and teacher reflection boxes.
 - Felicia Smith explained that the student growth factor will have two contributions, one from the state level and one from the local level. She then gave a handout to the board entitled "Current and Proposed System Comparison" that showed components of the current system and those of the proposed system. Brenda McGowan added that at the current time the field test is being designed and how to

gather information to help the weighting of the components. She said that professional development is not an evaluation piece but a piece on how to change practice as a result of professional development.

Mary Gwen Wheeler asked what the board's role would be in this system and Commissioner Holliday responded that the board puts forth the regulations to carry out the vision of the system. David Karem asked about the age student voice would be part of the system and Holliday replied that right now 4th grade is the earliest level using a survey. Brenda McGowan added that the committee is looking at a primary version too. Felicia Smith indicated that she would send the board samples of student voice surveys. Dorie Combs then asked if all teachers would be evaluated annually and Michael Dailey responded affirmatively, saying that it is part of the requirements of the waiver. Combs went on to ask how the additional load for the principal in evaluation would be accommodated and Smith responded that a discussion on this issue is going on within the teacher and principal effectiveness committees. Roger Marcum went on to ask if staff had any idea what to expect when this was implemented by looking at other states. Holliday stated that the United States Department of Education feedback on the Race to the Top winners has expressed concern about the inability of states to do this work. He felt that most of these states did not get input from teachers and therefore Kentucky is making sure that step takes place.

- The next slide was titled “Timeline for Teacher and Principal Professional Growth and Effectiveness System” and it indicated that the Phase 1 (2011-2012) field test will include 50 participating districts, districts trained will implement field test protocols, multiple measures of effectiveness will be defined, districts will participate in the regional field test status meetings and feedback and revisions will occur. It showed that Phase 2 will occur in 2012-2013 as an extended field test. The steps would include the districts trying to implement the protocols, the districts participating in regional status meetings, feedback collected and rubrics being finalized. Phase 3 was shown to occur in 2013 and beyond and was labeled as the Statewide Pilot and Implementation. Within this phase statewide training and statewide implementation and baseline data being collected would occur. The last step was full accountability occurring in the spring of 2015.
 - Jay Parrent asked if the board would have pilot feedback before it has to make its decision for regulations. Felicia Smith responded affirmatively.
- The next two slides gave details of the timeline and then the last slide dealt with the partners involved in this work, which included on the national side SCEE/CCSSO, the Center for Education Leadership and Technology, the Bill and Melinda Gates Foundation and the Education Delivery Institute. On the state side the partners are the Teacher Effectiveness Steering Committee, the Principal Effectiveness Steering Committee and the Prichard Committee.
 - Felicia Smith then noted that the new regulation gives a skeleton of the system and will be added to as the work moves forward. She emphasized that it must meet the

federal criteria for the waiver and noted that this is the first of many conversations about this topic.

Mary Gwen Wheeler then asked if there were any crosswalks between existing contracts that districts currently have. Commissioner Holliday responded that there are six criteria that must be met specified by the United States Department of Education and he said that if a local district wants to develop its own system it can do so as long as it meets these criteria. He went on to say that student growth must be included and that it is a two-pronged area, both state and local. Holliday said that conversations around collective bargaining have occurred and these have indicated being closer to agreement than in the past. Billy Harper then made a general observation that education is behind the business community in this area and emphasized it is very hard work. He felt the approach is right and will take a long time. Harper said that business finds peer review to be very effective.

Wednesday, February 1, 2012

EXECUTIVE ETHICS COMMISSION TRAINING

John Steffen, Executive Director of the Executive Ethics Commission, conducted a training session for the board relative to the Executive Branch Code of Ethics. The main issue to be followed up on by General Counsel Kevin Brown is whether board members are allowed to attend conferences sponsored by education partners at no charge.

APPROVAL OF MINUTES FROM THE DECEMBER 7, 2011, REGULAR MEETING

Chair David Karem asked if there were any additions or corrections to the December 7, 2011, regular meeting minutes. Dorie Combs pointed out a correction to be made on page 36 where Dr. Malinda Walker should be changed to Dr. Malinda Wilder and Judy Gibbons pointed out on page 38 the need for the wording of the second sentence to indicate ‘no deaths have happened in Kentucky due to restraints and seclusion’. She said that the second sentence under the new restraint and seclusion regulation topic needs to read as follows: “Brown explained that the United States Department of Education has not issued guidelines in this area and due to incidents in deaths within the nation related to restraints and seclusion issues, the department felt it was urgent to move ahead with the regulation.” At this point Martha Jones moved approval of the December 7, 2011, minutes as amended and Mary Gwen Wheeler seconded the motion. The motion carried.

INTRODUCTION OF NEW KDE EMPLOYEES AND KDE TEAM MEMBERS OF THE MONTH

Commissioner Terry Holliday introduced the following new Kentucky Department of Education employees:

- Bartolo Liguori, Research Analyst, Commissioner’s Office
- Jennifer Todd, Research Analyst, Commissioner’s Office

- Denise Hartsfield, Administrative Specialist III, Division of District Support, Office of Administration and Support
- Barbara Maas, Systems Consultant IT, Division of Operations and Services, Office of Knowledge, Information and Data Services
- Amy Young, Assistant Director, Division of Engineering and Management, Office of Knowledge, Information and Data Services
- Stephanie Sterling, Exceptional Children Consultant, Division of Learning Services, Diverse Learners Branch, Office of Next Generation Learners
- Robin Linton, Exceptional Children Consultant, Division of Learning Services, Diverse Learners Branch, Office of Next Generation Learners

There were no new Team Members of the Month.

REPORT OF THE SECRETARY OF THE EDUCATION AND WORKFORCE DEVELOPMENT CABINET

Secretary Joe Meyer submitted a written report and offered to answer any questions.

REPORT OF THE PRESIDENT OF THE COUNCIL ON POSTSECONDARY EDUCATION

President King submitted a written report but was not able to attend the meeting.

REPORT OF THE EXECUTIVE DIRECTOR OF THE EDUCATION PROFESSIONAL STANDARDS BOARD

Dr. Phillip Rogers indicated that his written report was submitted and he offered to answer any questions on that report.

REPORT OF THE COMMISSIONER OF EDUCATION

Commissioner Terry Holliday noted that his written report was submitted and said he welcomed any questions on it.

GOOD NEWS ITEMS

The following items of good news were reported by the noted individuals:

- **Mary Gwen Wheeler** - “Blessings in a Backpack”, a program that stuffs thousands of backpacks of low-income elementary students in Jefferson County with peanut butter, crackers and cereal every Friday so they will have something to eat over the weekend, will expand from serving 3,800 students to 35,000 in January. The program is designed by the nonprofit Kentucky Harvest with the goal of ensuring that students from low-income homes do not go hungry over the weekend or on holidays.

Once classes resumed from the winter holiday break, every child in pre-kindergarten through fifth grade who receives a free or reduced-price lunch is eligible to participate.

The expansion is being made possible by an effort involving community leaders, local corporations, church groups, charitable foundations, school organizations and concerned individuals who are contributing roughly \$8.5 million to fund the program for the next three years.

Congratulations and commendations go to the Jefferson County School District and the partners they have enlisted to provide this outstanding service to their students!

- **Dorie Combs** – On Feb. 14 at the State Capitol in Frankfort, three outstanding educators will be inducted into the Gov. Louie B. Nunn Kentucky Teacher Hall of Fame. The three are: Estelle Bayer, Sharon Graves and the late Helen P. Raby.

The Kentucky Teacher Hall of Fame was created in 2000 to recognize the critical role that primary and secondary teachers play in the education of Kentucky's young people.

Estelle Bayer is a native of Richmond, KY and retired last summer after teaching Latin for 35 years. She taught at Madison Central High School from 1978 to 2011 and before that in St. Louis, Missouri. Her awards include the Kentucky World Language Association's Lifetime Achievement Award, Richmond Chamber of Commerce Teacher of the Year Award, Ashland Oil Golden Apple Achiever Award and American Classical League Merita Award.

Sharon Graves is a native of Madison County and has taught history at Clark-Moores Middle School in Richmond for 22 years. Her awards include the Daughters of the American Revolution Outstanding Teacher of American History, Kentucky Department of Education Teacher of Excellence and Kentucky Historical Society Award of Merit.

The late Helen P. Raby taught in the Logan County School District for 31 years. She retired from full-time teaching in 1977 but served as a substitute teacher until 1991. Helen received awards for volunteer service in Logan County and was the author of "Story of My Life". She helped establish the Russellville Adult Day Care Center and the Logan County Retired Teachers' Association.

Congratulations to all of these deserving educators for being inducted into the Kentucky Teacher Hall of Fame.

- **Roger Marcum** – The *Quality Counts* report published by Education Week indicated that Kentucky moved from 34th in the nation to 14th when looking at assessing student progress, improving teacher quality and holding schools accountable. Kentucky's overall grade was a C+.

No states received a grade of A. The highest score was a B+ (Maryland); three states received B's; five states were rated B-; and five states, including Kentucky, were rated C+.

Of particular note was Kentucky's grade of A- in the Standards, Assessments, and Accountability section (20th in the nation) and B- in the Teaching Profession (5th in the nation).

One of the areas with the lowest scores was education funding, which the board and other partners know is a significant area that needs to be addressed.

Congratulations to Kentucky educators, KDE staff, the Kentucky Board of Education and our education partners for the hard work that has resulted in this significant progress and to the legislature for the passage of Senate Bill 1, the 2009 legislation that revamped the state's core curriculum and assessment program.

PUBLIC COMMENT SEGMENT

The following individuals came forward to speak during this portion of the meeting:

- Dick Richards – gender equity in sports
- Larry B. Perkins – House Bill 242
- Betty Muntz – proposed regulation on assessment for special populations

HEARING OFFICER'S REPORT: STATEMENTS OF CONSIDERATION FOR 703 KAR 5:222, CATEGORIES FOR RECOGNITION, SUPPORT AND CONSEQUENCES; 703 KAR 5:070, INCLUSION OF SPECIAL POPULATIONS IN THE STATE-REQUIRED ASSESSMENT AND ACCOUNTABILITY PROGRAMS; AND 703 KAR 5:240, ACCOUNTABILITY DEFINITIONS AND PROCEDURES

Coming forward to speak about the Statement of Consideration for 703 KAR 5:222 were Associate Commissioners Kevin Brown, Ken Draut and Dewey Hensley. Brown indicated that this regulation is the last of three that outlines the requirements of the new assessment and accountability system. Ken Draut proceeded to go over the part of the Statement of Consideration that had to do with additions to the regulation due to requirements of the ESEA waiver. Then, Dewey Hensley talked about the comments and recommendations in the Statement of Consideration relative to the assistance program for schools/districts.

Brigitte Ramsey asked if the number of home schooled students was available by district for the board. Staff indicated they would check on this and get back to board members on the availability of this data.

At this point Dorie Combs moved approval of the Statement of Consideration for 703 KAR 5:222 and Jonathan Parrent seconded the motion. The motion carried.

Next, Ken Draut went through the Statement of Consideration for 703 KAR 5:240, Accountability Definitions and Procedures. Roger Marcum then moved approval of the Statement of Consideration and Martha Jones seconded the motion. The motion carried.

At this point Chair David Karem indicated that the Statement of Consideration for 703 KAR 5:070 and the report on status of regulations would need to wait until after lunch due to the need to present the Joseph W. Kelly Award.

PRESENTATION OF THE JOSEPH W. KELLY AWARD

Chair David Karem presented the Joseph W. Kelly Award to Mr. Henry Hunt, Chief Operating Officer for Dataseam. Mr. Hunt came forward and gave an acceptance speech.

PRESENTATION OF THE PAPERLESS BOARD SYSTEM BY THE KENTUCKY SCHOOL BOARDS ASSOCIATION (KSBA)

A presentation of the Kentucky School Boards Association's paperless board system was made by Katrina Kinman, Kim Barker and Matt Wells. Also present from the Kentucky School Boards Association were Executive Director Bill Scott and David Baird.

The consensus of the board was to move ahead with pursuing such a system and to check on the other options that are available. Dorie Combs moved to move ahead and go through the procurement process and Martha Jones seconded the motion. The motion carried.

HEARING OFFICER'S REPORT: STATEMENTS OF CONSIDERATION FOR 703 KAR 5:222, CATEGORIES FOR RECOGNITION, SUPPORT AND CONSEQUENCES; 703 KAR 5:070, INCLUSION OF SPECIAL POPULATIONS IN THE STATE-REQUIRED ASSESSMENT AND ACCOUNTABILITY PROGRAMS; AND 703 KAR 5:240, ACCOUNTABILITY DEFINITIONS AND PROCEDURES (CONTINUED)

Rhonda Sims and Ken Draut came forward to address the comments and recommendations found in this Statement of Consideration.

Chair David Karem asked Kevin Brown to state the board's options relative to this Statement of Consideration. Brown said that it can be adopted as submitted or it can be amended with any changes the board desires.

Mary Gwen Wheeler asked if the board could postpone action on this.

Brown responded that it can only be deferred for 30 days and if nothing occurs, the process starts over with no implementation next year.

At this point Dorie Combs moved to adopt the Statement of Consideration as presented and Billy Harper seconded the motion.

Rhonda Sims was then asked to go over the highlights of the Statement of Consideration. She did so stopping to answer questions as they were raised.

Mary Gwen Wheeler asked if the language relative to having a reader for special circumstances found on page 4 of the Statement of Consideration would be the exact language used. Sims replied

that language will be developed by staff for this process allowing application to be made for the accommodation. Ken Draut added that this would be for very limited circumstances and not for every child who currently uses a reader.

Bill Twyman said it was his feeling that the extension of time for implementation referred to at the bottom of page 5 would be problematic. Kevin Brown replied that the delay is necessary due to the timing of the regulation going through the system.

Mary Gwen Wheeler stated that it is incumbent on the board to recognize the outcry of a number of individuals about the removal of a reader and she indicated that the time delay is appreciated.

Chair David Karem called for the question and the Statement of Consideration was approved with Judy Gibbons, Mary Gwen Wheeler and Brigitte Ramsey voting no. After some discussion, Martha Jones moved to reconsider the vote and it was seconded by Dorie Combs. This motion passed.

Dr. Holliday interjected that he appreciated staff's work on the regulation but recommends removing the time extension because of the majority of teachers needing to start work toward not having readers for students with disabilities.

At this point, Dorie Combs moved to adopt the Statement of Consideration and Judy Gibbons seconded the motion. Bill Twyman asked to amend the motion to remove the time delay and Jay Parrent seconded that motion. The motion carried with Mary Gwen Wheeler, Brigitte Ramsey and Judy Gibbons voting no.

Next, the motion to approve the Statement of Consideration as amended was approved with Mary Gwen Wheeler, Brigitte Ramsey and Judy Gibbons voting no.

At this point, Kevin Brown then went over the one page handout that provided a status on the board's regulations as they proceed through the legislative review process.

ESTABLISHING A KENTUCKY FOUNDATION FOR EDUCATION INNOVATION

Associate Commissioner Kevin Brown and Division Director David Cook came forward to present on this item. Brown noted that this is informational at this point with no action required. At a later date, he said, an action item will be brought to the board.

CURRICULUM, INSTRUCTION AND ASSESSMENT COMMITTEE MEETING

Action/Consent Items

1. **Appointment to the State Textbook Commission.** Associate Commissioner Felicia Smith said that the department was recommending the appointment of Mark E. Thomas to the State Textbook Commission.

Dorie Combs moved approval of the appointment of Mr. Thomas and Mary Gwen Wheeler seconded the motion. The motion carried.

Action/Discussion Items

1. **702 KAR 1:160, School Health Services (Final).** It was explained that this regulation was receiving a new number. It was also noted that BMI percentile is being added to the health exam form. Billy Harper moved approval of the regulation and Mary Gwen Wheeler seconded the motion. The motion carried.

MANAGEMENT COMMITTEE MEETING

Action/Consent Items

1. **New District Facility Plans: Clark and Hancock County School Districts.** Coming forward for this item were Associate Commissioner Hiren Desai, Division Director Kay Kennedy and Tim Lucas. The committee was asked if they had any questions about the facility plans under consideration.

At this point, Roger Marcum moved approval of the Clark and Hancock County facility plans. Bill Twyman seconded the motion and the motion carried.

2. **2011-12 Local District Working Budgets.** Brigitte Ramsey asked the committee if they had any questions concerning these working budgets.

Jonathan Parrent then moved approval of all submitted working budgets and Bill Twyman seconded the motion. The motion carried.

Action/Discussion Items

1. **702 KAR 7:065, Designation of Agent to Manage High School Interscholastic Athletics and Revisions in KHSAA Bylaws (Final).** Coming forward for this item was Commissioner Julian Tackett with the Kentucky High School Athletics Association (KHSAA). Roger Marcum moved to give final approval and Bill Twyman seconded the motion. The motion carried.

Chair Brigitte Ramsey asked Commissioner Tackett to give an update on the committee that is looking at middle school athletic issues. Tackett noted that House Bill 281 has some of the middle school issues included. He said that the committee last met in January and unanimously agreed that House Bill 281 should be adopted. Tackett said that if it passes it settles many of the questions with middle school but the issue of enforcement still remains. Tackett said that the recommendation is to collect data the rest of this year and then come back to the board. A written summary of the middle school work was also presented to the committee.

At this time Roger Marcum stated that Mr. Richards has come before the board more than once and at today's meeting brought up a situation in Letcher County about a softball facility that is not constructed. Marcum asked about the progress on the facility.

Tackett said that the construction of a technical school is preventing the building of the softball field and as soon as access opens up, the field will be built. He indicated he would follow-up with the district after this meeting.

Marcum also asked that he share this information with Mr. Richards.

APPROVAL OF ACTION/CONSENT ITEMS

Jay Parrent moved approval of all submitted district facility plans, all submitted local district working budgets and the appointment of Mark E. Thomas to the State Textbook Commission. The board concurred with the motion.

REPORT OF THE CURRICULUM, INSTRUCTION AND ASSESSMENT COMMITTEE ON ACTION/DISCUSSION ITEMS

Chair Judy Gibbons moved approval of 702 KAR 1:160, School Health Services. The board concurred with the motion.

REPORT OF THE MANAGEMENT COMMITTEE ON ACTION/DISCUSSION ITEMS

Chair Brigitte Ramsey moved approval of 702 KAR 7:065, Designation of Agent to Manage High School Interscholastic Athletics and Revisions in KHSAA Bylaws. The board concurred with the motion.

BOARD MEMBER SHARING

There were no items shared by board members.

INTERNAL BOARD BUSINESS

There were no items discussed under this topic.

ADJOURNMENT

Brigitte Ramsey moved to adjourn the meeting at 3:10 p.m. and Judy Gibbons seconded the motion. The motion carried.

